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6 Attorneys for Defendant
MICHAEL ANTHONY GARCIA
7

8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 vs.

14 MICHAEL ANTHONY GARCIA,

15 Defendant.
16

Case No. 1:23-mj-00140-SAB

MOTION TO WITHDRAW AS COUNSEL OF
RECORD AND FOR APPOINTMENT OF NEW
COUNSEL; ORDER

17 Assistant Federal Defender Laura Myers, counsel for defendant Michael Anthony Garcia
18 in the above-captioned case, hereby moves this Court for an order relieving her as appointed
19 counsel and substituting panel attorney Michael J. Aed, who was identified by the Federal
20 Defender's Office of the Eastern District of California as the attorney to whom they would
21 assign this case. Mr. Aed has consented to the substitution as attorney of record. Mr. Aed's
22 contact information is:

23 Michael J. Aed
Attorney at Law
24 2115 Kern Street, Ste. 1
Fresno, CA 93721
25 PH: (559) 825-4600

26 This motion is based on the following facts:

- 27 1. On January 18, 2024, the Court appointed the Office of the Federal Defender to
28 represent Defendant Michael Anthony Garcia. *See* Dkt. #10.

2. The matter was set for a change-of-plea or trial setting on August 15, 2024. *See* Dkt. #14, 15.
3. On August 13, 2024, Mr. Garcia informed counsel that he would like the case to be set for trial at the upcoming hearing.
4. Mr. Garcia plans to raise a defense at trial that is incompatible with continued representation by the Federal Defender's Office.
5. On August 15, 2024, counsel informed the Court that a withdrawal motion would be forthcoming, and this Court ordered counsel to move for appointment of substitute counsel prior to August 23, 2024.

For the above reason, present counsel requests that this Court relieve the Federal Defender's Office of its duties as counsel of record and that the Court appoint panel attorney Michael J. Aed to represent Defendant Michael Anthony Garcia in this matter. The case is presently scheduled for status conference on November 21, 2024.

Respectfully submitted,

HEATHER E. WILLIAMS
Federal Defender

Date: August 22, 2024

/s/ Laura Myers
LAURA MYERS
Assistant Federal Defender
Attorney for Defendant
MICHAEL ANTHONY GARCIA

ORDER

IT IS HEREBY ORDERED. The Federal Defender's Office is relieved of its duties as counsel of record and panel attorney Michael J. Aed is appointed to represent Defendant in this matter.

IT IS SO ORDERED.

Dated: August 22, 2024


UNITED STATES MAGISTRATE JUDGE